

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING ASSISTANCE FOR AGRICULTURE IN COLORADO, AND, IN CONNECTION THEREWITH, ESTABLISHING A LOAN PROGRAM IN THE DEPARTMENT OF AGRICULTURE, TRANSFERRING MONEY FROM THE GENERAL FUND TO A NEW AGRICULTURAL FUTURE LOAN PROGRAM CASH FUND TO BE USED FOR THE LOAN PROGRAM, AND MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Donovan and Simpson	JBC Analyst: Andrew Forbes
Reps. McCormick and Holtorf	Phone: 303-866-2062
	Date Prepared: May 27, 2021

Appropriation Items of Note

Appropriation Already Added to Bill, Amendment in Packet

General Fund Impact

New Cash Fund (with Continuous Appropriation)

Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 05/21/21.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
XXX	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The House Agriculture, Livestock, and Water Committee Report (05/27/21) includes amendments to the bill, however, Legislative Council Staff and JBC Staff agree that the committee amendments do not change the fiscal impact of the bill.

The original Legislative Council Fiscal Note (05/03/21) reflected a total of \$165,890 reappropriated funds to the Department of Law from the Colorado Agricultural Future Loan Program Cash Fund, which is continuously appropriated. Due to miscommunication between the Department of Agriculture and Fiscal Note Staff calculations for the Revised Fiscal Note miscalculated the need for increased resources for legal services, which was reflected in the Revised Fiscal Note (05/21/21). The amount indicated in the current appropriations clause, already added to the bill, reflects the correct amount.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
L.013	Bill Sponsor amendment - does not change fiscal impact

Current Appropriations Clause in Bill

The bill includes an appropriation clause that appropriates a total of \$165,890 reappropriated funds to the Department of Law for FY 2021-22. These funds are reappropriated from the Department of Agriculture. This provision also states that the appropriation is based on the assumption that the Department will require an additional 0.9 FTE.

Description of Amendments in This Packet

L.013 Bill Sponsor amendment **L.013** (attached) clarifies the amount of money the Department can use to set up the loan program created in the bill. L.013 does not change the appropriations clause as the cash fund is continuously appropriated.

Points to Consider

General Fund Impact

The Joint Budget Committee (JBC) has proposed a budget package for FY 2021-22 based on the March 2021 Legislative Council Staff revenue forecast. The JBC has included as part of its FY 2021-22 budget package the \$30,000,000 General Fund transfer that results from the implementation of this bill. Specifically, the JBC package includes a place holder of \$800.0 million General Fund for those bills that are part of the "State Stimulus Package", and this bill is part of that package.

Legislative Authority

Is it necessary to "continuously appropriate" money in the Colorado Agricultural Future Loan Program Cash Fund? This method of funding essentially moves related expenditures off-budget, and expenditures are not reported or accounted for through the budget process.